

**In the United States Court of Federal Claims**

No. 12-44 C

(Filed October 21, 2013)

\* \* \* \* \*

FREDERICH CONSTRUCTION,  
INC.,

\*

*Plaintiff,*

\*

\*

v.

\*

\*

THE UNITED STATES,

\*

\*

*Defendant.*

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\* \* \* \* \*

**ORDER**

On October 18, 2013, defendant filed an Unopposed Motion to Enlarge Discovery Schedule Commensurate with Lapse in Federal Appropriations in this matter. Defendant requests an enlargement of time of sixteen days for the close of fact discovery, designation of experts and provisions of reports, and completion of expert discovery. Accordingly, it is hereby ORDERED that

- (1) Defendant's motion is **GRANTED**;
- (2) All **fact discovery**, including production of documents, depositions, interrogatories and requests for admission, shall be **COMPLETED** no later than **January 29, 2014**;
- (3) The parties shall comply with all requirements of RCFC 26(a)(2) with respect to disclosure of expert testimony within the stated discovery deadline unless the parties request additional time for expert discovery and/or disclosure;
- (4) On or before **April 2, 2014**, the parties shall designate **experts** and provide **expert reports**;
- (5) All **expert discovery** shall be **COMPLETED** no later than **May**

**16, 2014; and**

(6) On **May 30, 2014**, or two weeks after completion of discovery, whichever occurs earlier, counsel are directed to **FILE a Joint Status Report**. The status report shall state whether settlement is a feasible option in this case or whether the parties intend to file dispositive motions. If dispositive motions are to be filed, the status report shall set forth a proposed schedule in that regard. If neither settlement nor dispositive motions are viable, the parties shall set forth a proposed schedule for the exchanges required by Appendix A, ¶ 13 and the filings required by ¶¶ 14 through 17. In addition, the status report shall specifically address the parties' preferred location of trial, and the anticipated length of trial.

/s/Lynn J. Bush

LYNN J. BUSH  
Judge